

REMARKS

Claims 1-26 are pending. The Office Action dated October 5, 2005 has been carefully considered. Claims 1-2 have been withdrawn from consideration in this Response. Reconsideration and allowance are respectfully requested in light of the following remarks.

Claims 1-26 stand restricted under 35 U.S.C. § 121, Manual of Patent Examining Procedure (MPEP) § 806.05(d). The Examiner identified two (2) groups of Claims: Group I, Claims 1-2, and Group II, Claims 3-26. Applicant elects, without traverse, the Claims of Group II, Claims 3-26, drawn to load balancing (congestion control) with channel (active set) allocation techniques, classified in Class 455, Subclass 453, to prosecute in the present application as required by the Examiner.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner require any further clarification to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP



Gregory W. Carr
Reg. No. 31,093

Dated: 11/2/05
CARR LLP
670 Founder's Square
900 Jackson Street
Dallas, Texas 75202
Telephone: (214) 760-3030
Fax: (214) 760-3003